

Town Board Minutes

Meeting No. 12

Regular Meeting

May 6, 1996

MEETINGS TO DATE 12
NO. OF REGULARS 9
NO. OF SPECIALS 3

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LANCASTER, NEW YORK
MAY 6, 1996

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 6th day of May 1996 at 8:00 P.M. and there were

PRESENT: DONALD E. KWAK, COUNCIL MEMBER
JOHN T. MILLER, COUNCIL MEMBER
MARK A. MONTOUR, COUNCIL MEMBER
DONNA G. STEMPNIAK, COUNCIL MEMBER
ROBERT H. GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
ROBERT H. LABENSKI, TOWN ENGINEER
RICHARD J. SHERWOOD, TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR
THOMAS E. FOWLER, CHIEF OF POLICE
JOHANNA M. COLEMAN, RECEIVER OF TAXES
CHRISTINE A. FUSCO, ASSESSOR

PERSONS ADDRESSING TOWN BOARD:

Gourlay, William, a Deputy Sheriff with the Erie County Sheriff's Department, spoke to the Town Board on the following matter:

Construction of a SWAT team training site on Peppermint Road, east of the Lancaster Town Center.

Rozek, Robert, 375 Westwood Road, spoke to the Town Board on the following matter:

Complained of the junk yards on Ransom Roads.
Complained of poor drainage in his area.

LaCopa, Betty, 59 S. Irwinwood Road, spoke to the Town Board on the following matter:

Asked the Town Board to place a referendum on the next Town ballot extending the term of Supervisor to four years.

Szymczak, Mark, 24 Green Meadow Drive, spoke to the Town Board on the following matter:

Maintenance of a detention pond within the Green Meadow Drive area.

Kotwicki, Joyce, 246 Stony Road, spoke to the Town Board on the following matter:

A drainage problem on her property.

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matter:

Drainage problems on his property.

Mr. B. Fogan, 25 Hill Valley Drive, spoke to the Town Board on the following matter:

Complained of contractors' debris at new building sites on Hillview Drive.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:50 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town regarding Article X - Parking, Standing and Stopping - south side of Riemers Avenue.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

None

OPPOSERS

None

COMMENTS & QUESTIONS

None

ADDRESS

ON MOTION BY COUNCIL MEMBER MILLER, AND SECONDED BY COUNCIL MEMBER STEMPNIAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:55 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

PUBLIC HEARING SCHEDULED FOR 8:45 P.M.:

At 8:55 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster rezoning property situate on the east side of Transit Road, south of Pleasant View Drive, and north of Rehm Road (N.E. corner of Transit and Rehm Roads) from a R1-Residential District One, to a GB-general Business District.

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Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioner, the Erie County Division of Planning, property owners of record within 200 feet of the proposed rezone site, the Town Clerk of the Town of Cheektowaga and the Village Clerk of the Village of Depew, notifying them of the time and place of this Public Hearing.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

PROPONENTS

ADDRESS

Michael Arcangel, representing
Bella Vista Group

OPPONENTS

ADDRESS

Florence Riggs
Marla Morris
Norman Bastian

7 Hill Valley Drive
211 Marrano Drive
5747 Genesee Street

COMMENTS & QUESTIONS

ADDRESS

Gloria Kubicki

15 Maple Drive

ON MOTION BY COUNCIL MEMBER KWAK, AND SECONDED BY COUNCIL MEMBER MILLER AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:20 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the minutes from the Joint Meeting of the Town Board and
the Planning Board held on April 15, 1996, and the Regular Meeting of the Town Board held
on April 15, 1996, be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by letter dated April 10, 1996, has requested the addition of a probationary active member to and the deletion of a member from, the membership roster of said fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to and deletion from the membership of the Bowmansville Volunteer Fire Association, Inc. of the following individuals:

ADDITION

Richard Overholt
5 Hillside Parkway
Lancaster, New York 14086

DELETION

Mark Knerr

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER , WHO MOVED
ITS ADOPTION. SECONDED BY COUNCIL
COUNCIL MEMBER MONTOUR , TO WIT:

WHEREAS, it has been customary in the past to extend certain benefits enjoyed by
the members of the Lancaster Town Police Department, under their negotiated contract, to the
Captains and Chief of Police,

NOW, THEREFORE, BE IT

RESOLVED, that the following sections of the Contract between the Town of
Lancaster and the Town of Lancaster Police Benevolent Association by and are hereby
extended, for the years 1996 and 1997, to the Police Captains and Chief of Police of the Town
of Lancaster:

Section 4.01	Uniform Allowance
Section 4.02	Uniforms and Equipment - will not apply to the Chief of Police
Section 4.03	Bullet Proof Vests
Section 6.02	Shift Equalization Pay
Section 6.05	Longevity Pay
Section 6.07	Rate of Pay
Section 6.10	Briefing Pay
Section 6.12	Miscellaneous Sell-Back
Section 8.01	Holidays and Holiday Assignments
Section 8.02	Personal Leave
Section 9.01	Vacations
Section 9.02	Accrued Vacation and Unused Holidays
Section 9.03	Bereavement Leave
Section 10.01	Sick Leave
Section 10.02	Sick Bank (Captains Only)
Section 10.03	Sick Leave Upon Retirement
Section 11.01	Death Benefits
Section 11.02	Life Insurance
Section 11.03	Indemnity
Section 11.04	Health Insurance
Section 12.01	Retirement Benefits
Section 15.02	Education Incentive Pay
Section 17.01	Non-Discrimination
Section 17.05	Conflicts

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

File: RPOLBENE

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

WHEREAS, M.A. Tufillaro Builders, Inc., 153 Bramble Court, Williamsville,
New York 14221 has requested the Town Board of the Town of Lancaster to accept work
completed under a Street Lighting Public Improvement Permit within Queen's Park
Subdivision, within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvement and has
recommended the approval thereof,

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Street Lighting Public Improvement
within Queen's Park Subdivision, be and is hereby approved and accepted by the Town Board
of the Town of Lancaster:

P.I.P. No. 424 - Street Lights - Queen's Park Subdivision

and

BE IT FURTHER

RESOLVED, that a copy of this resolution be directed by the Town Clerk to the
New York State Electric & Gas Corporation with a request to energize the street lights herein.,

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

File: RPIP (P8)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MILLER, TO WIT:

WHEREAS, Phyllis Greco, a Senior Clerk Stenographer in the Office of the Supervisor of the Town of Lancaster, by memorandum dated May 1, 1996, has requested to carry over sixty-three (63) hours of vacation time accrued which she cannot take by her anniversary date of May 12, 1996 due to reasons cited in the memorandum, and

WHEREAS, the Town of Lancaster White Collar Unit of Local 815 has indicated no objection to the granting of this request,

NOW, THEREFORE, BE IT

RESOLVED, that **PHYLLIS GRECO**, a Senior Clerk Stenographer in the Office of the Supervisor, shall be permitted to carryover her 1995/1996, unused sixty-three (63) hours of vacation time to her 1996/1997 year of service with the Town of Lancaster.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

FILE: RPERS.VAC

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK, TO WIT:

WHEREAS, the sponsor of this resolution is desirous of abolishing the position of
Accountant, Part Time, in the Office of the Supervisor of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the position of Accountant, Part Time, in the Office of the Supervisor
of the Town of Lancaster be and is hereby abolished effective May 6, 1996.

The question of the adoption of the following resolution was duly put to a vote on roll
call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MILLER TO WIT:

WHEREAS, the Town has received a proposal letter dated April 30, 1996 from Fox & Company, Certified Public Accountants, to assist the Town in preparing the necessary disclosure information incident to issuing serial bonds and bond anticipation notes on July 3, 1996,

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board does hereby authorize the Supervisor to countersign the Fox & Company proposal dated April 30, 1996 to assist the Town in preparing the necessary disclosure information incident to issuing serial bonds and bond anticipation notes on July 3, 1996, in an amount not to exceed \$9,000.00.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

File: RACCPROS

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK TO WIT:

WHEREAS, the Department Crew Chief, by letter dated April 30, 1996, has requested the following appointments as seasonal employees in the Parks and Recreation Department for the summer season of 1996,

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to positions of seasonal employees for the summer of 1996 in the Parks and Recreation Department of the Town of Lancaster at the following hourly rates as specified:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Jennifer Armstrong (new hire) 72 Wayne Street Depew, New York 14043	Playground Attendant	\$5.00 hr.
Kristin Batt (rehire) 12 Quincy Avenue Lancaster, New York 14086	Playground Attendant	\$5.50 hr.
Molly Chudzinski (rehire) 22 Via Donato West Depew, New York 14043	Playground Attendant	\$5.25 hr.
Christopher Cybulski (rehire) 20 Franklin Street Lancaster, New York 14086	Playground Attendant	\$5.50 hr.
Joseph Frank (new hire) 19 Stephens Court Lancaster, New York 14086	Playground Substitute	\$5.00 hr.
Kathleen Frank (new hire) 19 Stephens Court Lancaster, New York 14086	Playground Substitute	\$5.00 hr.
Jennifer Golus (new hire) 36 Glendale Drive Lancaster, New York 14086	Playground Substitute	\$5.00 hr.
Danielle Guarino (rehire) 45 Doris Avenue Lancaster, New York 14086	Playground Attendant	\$5.50 hr.
Samuel Harmon (rehire) 94 S. Irwinwood Road Lancaster, New York 14086	Playground Substitute	\$5.25 hr.
Karen Herdzik (rehire) 68 Church Street Lancaster, New York 14086	Playground Attendant	\$5.25 hr.

Troy Hillman (new hire) 26 Donna Lea Drive Lancaster, New York 14086	Playground Attendant	\$5.00 hr.
William Hineman (rehire) 107 Stony Road Lancaster, New York 14086	Recreation Supervisor	\$6.50 hr.
Glenn Jackson (rehire) 288 Miller Street Depew, New York 14043	Playground Attendant	\$5.25
Michael Jakubik (new hire) 52 Bowen Avenue Lancaster, New York 14086	Playground Substitute	\$5.00 hr.
Raymond Karney (rehire) 4805 Transit Road #2105 Lancaster, New York 14086	Recreation Supervisor	\$7.00 hr.
Kevin Kelleher (rehire) 50 Burwell Avenue Lancaster, New York 14086	Recreation Supervisor	\$7.00 hr.
Andrew Kufel (new hire) 25 Kelly Ann Drive Lancaster, New York 14086	Playground Attendant	\$5.00 hr.
Nicole Miller (rehire) 15 Franklin Street Lancaster, New York 14086	Playground Attendant	\$5.50 hr.
Joseph Nuskowski (rehire) 12 Markey Street Lancaster, New York 14086	Playground Attendant	\$5.25 hr.
Heather Ostermeier (rehire) 2 West Home Road Bowmansville, New York 14026	Playground Substitute	\$6.00 hr.
Bobby Sansone (rehire) 41 Hidden Trail Lancaster, New York 14086	Playground Substitute	\$5.25 hr.
Brian Schaefer (rehire) 84 Field Avenue Lancaster, New York 14086	Playground Attendant	\$5.25 hr.
Julie Schaefer (rehire) 84 Field Avenue Lancaster, New York 14086	Recreation Supervisor	\$7.00 hr.
Colleen Szablewski (rehire) 360 Columbia Avenue Depew, New York 14086	Recreation Supervisor	\$6.00 hr.
Jessica Trojanowsky (new hire) 28 Asbury Place Depew, New York	Playground Substitute	\$5.00 hr.
Julie Vogel (rehire) 104 Albert Drive Lancaster, New York 14086	Playground Attendant	\$5.25 hr.

Brian Wild (rehire) 5685 Broadway Lancaster, New York 14086	Recreation Supervisor	\$7.00 hr.
Amy Winiewicz (rehire) 33 Deerpath Drive Lancaster, New York 14086	Playground Attendant	\$5.25 hr.
Richard Wojciechowski (rehire) 95 South Irwinwood Road Lancaster, New York 14086	Recreation Supervisor	\$10.00 hr.
Samantha Wolinski (rehire) 3903 Bowen Road Unit 56 Lancaster, New York 14086	Playground Attendant	\$5.50 hr.
John Wozniak (rehire) 2043 Como Park Blvd. Lancaster, New York 14086	Playground Attendant	\$6.25 hr.
Dawn Wroblewski (rehire) 42 Lancaster Avenue Lancaster, New York 14086	Playground Attendant	\$5.25 hr.
Kristie Yost (new hire) 40 Kennedy Court Lancaster, New York 14086	Playground Attendant	\$5.00 hr.
George Besch (rehire) 39 Lake Avenue Lancaster, New York 14086	Tennis Supervisor	\$9.50 hr.
Philip Ceppaglia (rehire) 65 Holland Avenue Lancaster, New York 14086	Tennis Instructor	\$5.50 hr.
Andrea Coleman (rehire) 72 Robert Drive Lancaster, New York 14086	Tennis Instructor	\$5.25 hr.
Laura Coleman (rehire) 72 Robert Drive Lancaster, New York 14086	Tennis Instructor	\$5.50 hr.
Amy Jacobs (rehire) 6008 Genesee Street Lancaster, New York 14086	Tennis Instructor	\$5.50 hr.
Marc Mamak (rehire) 138 Harvey Drive Lancaster, New York 14086	Tennis Instructor	\$5.50 hr.
Tom Anticola (rehire) 42 Pheasant Run Lane Lancaster, New York 14086	Lifeguard	\$5.75 hr.
Jamie Bremiller (rehire) 10 Cemetery Road Lancaster, New York 14086	Lifeguard	\$5.50 hr.
Nicole Chaika (new hire) 76 Banner Avenue Lancaster, New York 14086	Lifeguard	\$5.25 hr.

Brienne Thomas (new hire)
38 Greenbriar Drive
Lancaster, New York 14086

Lifeguard

\$5.25 hr.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

File: rpers.sum

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER, WHO MOVED
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated, May 1, 1996, has requested permission for Karen Schanne, Social Work Counselor, to attend "Resiliency in Action" - "Building Resiliency in Youth" Conference on May 16, 1996 at the Radisson Hotel, Genesee Street, Cheektowaga, New York at a cost of \$105.00,

NOW, THEREFORE, BE IT

RESOLVED, that the Social Work Counselor of the Town of Lancaster be and is hereby authorized to attend "Resiliency in Action" - "Building Resiliency in Youth" Conference in Cheektowaga, New York, May 16, 1996, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby authorized in an amount not to exceed \$105.00, plus mileage, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MILLER. TO WIT:

WHEREAS, the Executive Director of the Youth Bureau, by letter dated May 1, 1996, has recommended the appointment of the following individual to the position of Tutor with the Youth Bureau of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that **Sheila O'Connor**, 561 Mill Road, West Seneca, New York 14224, is hereby appointed to the position of Tutor with the Town of Lancaster Youth Bureau, effective May 7, 1996 at an hourly rate of \$9.00, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

File: RTUTOR

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO MOVED
ITS ADOPTION, , SECONDED BY
COUNCIL MEMBER KWAK , TO WIT:

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WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of One New and Unused 1996 35-Ton Non-Groundbearing Lowboy Trailer with All Hydraulics for the use of the Highway Department, and

WHEREAS, the Highway Committee of the Town Board recommends that such purchase be authorized;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Bids be received by the Town Clerk on May 20, 1996, at 10:00 o'clock A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing One (1) New and Unused 1996 35-Ton Non-Groundbearing Lowboy Trailer With All Hydraulics for the use of the Highway Department in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

File: rhiwybds.1

LEGAL NOTICE

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**TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 o'clock A.M., Local Time, on the 20th day of May, 1996, for the purpose of providing One (1) New and Unused 1996 35-Ton Non-Groundbearing Lowboy Trailer With All Hydraulics to the Town of Lancaster for the use of the Highway Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five percentum (5%) of the Total Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

BY: ROBERT P. THILL
Town Clerk

May 6, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY, COUNCIL MEMBER STEMPIAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
MONTOUR, TO WIT:

WHEREAS, Robert D. Alonzo, Agent for Randall Benderson 1993-1 Trust,
570 Delaware Avenue, Buffalo, New York, the contract vendee of a parcel of property located
on the southeast corner of Transit Road and Wehrle Drive in the Town of Lancaster, New
York, has petitioned the Town Board of the said Town for the rezone of said property from an
R1-Residential District One, to a GB-General Business District, and

WHEREAS, the Petition has been referred to the Planning Board of the Town of
Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State
of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central
Avenue, Lancaster, New York, on the 20th day of May, 1996, at 9:00 o'clock P.M., Local Time,
and that Notice of the time and Place of such Hearing be published in the Lancaster Bee, a
newspaper of general circulation in said Town and be posted on the Town Bulletin Board, and
that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to
Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto
and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

**LEGAL NOTICE
PUBLIC HEARING
TRANSIT -WEHRLE THEATER COMPLEX
(BENDERSON)
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 6th day of May, 1996, the said Town Board will hold a Public Hearing on the 20th day of May, 1996, at 9:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from an R1-Residential District One, to a GB-General Business District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 12, Section 12, Township 11, Range 6 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point on the east line of Transit Road as a 100 foot wide right of way at its intersection with the north line of Lot 12, which is also the centerline of Wehrle Drive;

THENCE easterly along the north line of said Lot 12, a distance of 1207.74 feet to a point;

THENCE southerly along a line parallel with the east line of said Lot 12, a distance of 30 feet to a point on the south line of Wehrle Drive which is the true and principal point of beginning;

THENCE southerly along said line which is parallel with the east line of said Lot 12, a distance of 380.00 feet to a point;

THENCE westerly along a line parallel with the centerline of Wehrle Drive , a distance of 65.00 feet to a point;

THENCE southerly along a line parallel with the east line of Lot 12, a distance of 80.00 feet to a point;

THENCE westerly along a line parallel with Wehrle Drive, a distance of 180.00 feet to a point;

THENCE northerly along a line parallel with the east line of said Lot 12, a distance of 200.00 feet to a point;

THENCE westerly along a line parallel with the centerline of Wehrle Drive, a distance of 60.00 feet to a point;

THENCE southerly along a line parallel with the east line of said Lot 12, a distance of 728.00 feet to a point;

THENCE easterly along a line parallel with the centerline of Wehrle Drive, a distance of 370.00 feet to the east line of said Lot 12;

THENCE northerly along the east line of said Lot 12, a distance of 988.00 to the south line of Wehrle Drive;

THENCE westerly along the south line of Wehrle Drive, a distance of 65.00 feet to the true and principal point of beginning.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

May 6, 1996

BY: ROBERT P. THILL
Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO MOVED
ITS ADOPTION, , SECONDED BY
COUNCIL MEMBER KWAK , TO WIT:

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WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of One New and Unused 1996 Set-Back Front Axle Tractor, Severe-Duty for the use of the Highway Department, and

WHEREAS, the Highway Committee of the Town Board recommends that such purchase be authorized;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Bids be received by the Town Clerk on May 20, 1996, at 10:30 o'clock A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing One (1) New and Unused 1996 Set-Back Front Axle Tractor, Severe-Duty, for the use of the Highway Department in accordance with specifications on file in the Town Clerk's Office, and

2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

**TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:30 o'clock A.M., Local Time, on the 20th day of May, 1996, for the purpose of providing One (1) New and Unused 1996 Set-Back Front Axle Tractor, Severe-Duty to the Town of Lancaster for the use of the Highway Department, in accordance with specifications on file in the Town Clerk's Office at the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five percentum (5%) of the Total Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

BY: ROBERT P. THILL
Town Clerk

May 6, 1996

PREFILED RESOLUTION NO. 14 - MEETING OF 05/06/96

14. Stempniak/_____ Set Public Hearing Amend Zoning Ordinance Re: Map Change
Edward Lewis North Side Of Broadway West Of Cemetery
Road

At the request of Council Member Stempniak, this resolution was withdrawn for
further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

WHEREAS, RICHARD D. ZARBO, the owner of real property situate at 357 Stony Road in the Town of Lancaster, New York, has submitted an application for a Special Use Permit for a Home Occupation (Gun Shop), in accordance with provisions of Chapter 50-Zoning of the Code of the Town of Lancaster:

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupations" of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for a Home Occupation (Gun Shop) on premises locally known as 357 Stony Road, Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 20th day of May, 1996, at 8:30 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

File: rsupzarh.

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Section 17 (F), "Home Occupations" of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 6th day of May, 1996, the Town Board will hold a Public Hearing on the 20th day of May, 1996, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Richard D. Zarbo for a Special Use Permit, for a Home Occupation (Gun Shop) on premises locally known as 357 Stony Road, Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

BY: ROBERT P. THILL
Town Clerk

May 6, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK , TO WIT:

WHEREAS, a Public Hearing was held on the 6th day of May, 1996, for the purpose of amending Chapter 46-Vehicle and Traffic Ordinance of the Code of the Town of Lancaster, and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said public Hearing was duly published and posted;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting the Town Board of the Town of Lancaster held on May 6, 1996;
3. That a Certified Copy thereof be published in the Lancaster Bee on May 9, 1996,
4. That a Certified copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

File: rva.

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

ARTICLE X - Parking, Standing and Stopping.

46-12. Parking prohibited in designated locations, is hereby amended by adding thereto the following:

- (60) On the south side of Riemers Avenue from its intersection with Central Avenue to a point 300 feet west of that intersection..**

And

46-13. Standing prohibited in designated locations, is hereby amended by adding thereto the following:

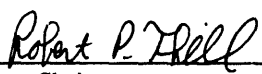
- (60) On the south side of Riemers Avenue from its intersection with Central Avenue to a point 300 feet west of that intersection.**

May 6, 1996

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

THIS IS TO CERTIFY that I, ROBERT P. THILL, Town Clerk of the TOWN OF LANCASTER, in said County of Erie, have compared the foregoing copy of an Ordinance Amendment, with the original thereof filed in my office at Lancaster, New York, on the 6th day of May, 1996, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto signed my hand and affixed the Seal of said Town this 6th day of May, 1996.



Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

WHEREAS, Charles Stephan, has submitted a Site Plan dated March 15, 1996 for a Golf Cart Storage Building, located at Fox Valley Country Club, located at 6161 Genesee Street, in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and at its meeting April 17, 1996, recommended approval, and

WHEREAS, the project has been reviewed under the SEQR Regulations and it was determined to be a "Type II Action, and as such no further SEQR review is necessary;;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Charles Stephan, for a Golf Cart Storage Building to be located at the Fox Valley Country Club, 6161 Genesee Street, in the Town of Lancaster, in accordance with plans prepared by Caley & Company Architects and dated March 15, 1996.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

File: rstpln.2

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION. SECONDED BY COUNCIL
MILLER, TO WIT:

WHEREAS, it is in the public interest for the Parks and Recreation Department of the Town of Lancaster to operate a playground facility on Main Street, Bowmansville, in the Town of Lancaster, on property owned by the Bowmansville Volunteer Fire Association, Inc., for the year 1996, and

WHEREAS, the Town Attorney has prepared and filed with the Town Clerk, an Agreement setting forth the terms upon which said recreational area will be utilized by the Town of Lancaster;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Supervisor be and is hereby authorized and directed to execute an Agreement between the Town of Lancaster and the Bowmansville Volunteer Fire Association, Inc. for the Lease by said Association to the Town of Lancaster of its play area on its premises on Main Street, Bowmansville, within the Town of Lancaster, for the operation of the Town's Recreation Program during its normal summer season for the year 1996.

2. That the Town Attorney make distribution of the executed copies of said Agreement to the appropriate parties.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, the Town Board has previously duly advertised for bids for the construction of handicapped accessibility at the Lancaster and Depew Branch Libraries, and

WHEREAS, bids were received, opened and reviewed on April 11, 1996, and

WHEREAS, by letter dated April 15, 1996, Donald Gallo, Consulting Engineer has recommended award of the Contract to Miller Enterprises, Inc., 584 Taunton Place, Buffalo, New York 14216, in the amount of \$23,900.00, said bid being the lowest responsible bid for said project;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the Contract for the construction of handicapped accessibility at the Lancaster and Depew Branch Libraries, to Miller Enterprises, Inc., 584 Taunton Place, Buffalo, New York 14216, in the amount of \$23,900.00, being the lowest responsible bidder in conformance with the specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

File: talib.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MILLER, TO WIT:

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has awarded the Town of Lancaster Youth Bureau and Drug Abuse Prevention Council a grant for the period January 1, 1996 through December 31, 1996 in the amount of \$3,136.00 to fund the operation of a substance abuse program, and

WHEREAS, the Town Board has authorized the Supervisor to enter into a contract with the New York State Office of Alcoholism and Substance Abuse Services for the amount of \$3,136.00, and

WHEREAS, the Town Board desires to enter into a contract with the New York State Office of Alcoholism Services for the amount of \$3,136.00;

NOW, THEREFORE, BE IT

RESOLVED, that Robert H. Giza, Supervisor of the Town of Lancaster is hereby authorized to enter into a contract with the New York State Office of Alcoholism and Substance Abuse Services in the amount of \$3,136.00 to continue operation of a substance abuse program through the Town of Lancaster Youth Bureau and Drug Abuse Prevention Council.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MILLER, TO WIT:

WHEREAS, the Town Board has previously duly advertised for bids to furnish One (1) New and Unused 1996 Self Propelled Bituminous Paver for use by the Highway Department of the Town of Lancaster, and

WHEREAS, bids were received and opened on April 29, 1996, and

WHEREAS, by letter dated April 29, 1996, the Highway Superintendent has recommended that the bid of Gateway Equipment Corp., 8033 Transit Road, East Amherst, New York 14051, in the amount of \$159,999.00, being the only bid received, be accepted by the Town for this equipment;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby awards the bid for One (1) New and Unused 1996 Self-Propelled Bituminous Paver for use by the Highway Department, to Gateway Equipment Corp., 8033 Transit Road, East Amherst, New York 14051, being the only bid received, said bidder meeting the specifications in all respects, in the net amount of \$159,999.00, which includes a \$6,000.00 trade-in of a 1974 track paver, and
2. That the Highway Superintendent be and is hereby authorized to order such equipment.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER , WHO MOVED
ITS ADOPTION. SECONDED BY
COUNCIL MEMBER STEMPNIAK , TO WIT:

WHEREAS, JOHN W. SUCHY and MARY L. SUCHY, the owners of property
located at 4576 Walden Avenue in the Town of Lancaster, have made an application to the Erie
County Sewer District No. 4 to be an "Out of District" Customer, and

WHEREAS, such application has been approved subject to the Town of Lancaster
granting permission for Mr. & Mrs. Suchy to become an "out of district" customer at the above
location;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby grants John W.
Suchy and Mary L. Suchy permission to become an "out of district" customer of Erie County
Sewer District No. 4, for service to be limited to their property located at 4576 Walden Avenue,
Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll
call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO MOVED
ITS ADOPTION. SECONDED BY
COUNCIL MEMBER THILL , TO WIT:

WHEREAS, the Town of Lancaster and the Village of Depew wish to enter into an agreement to continue their cooperative efforts in consolidating governmental services; and

WHEREAS, the Town is willing to allow its assessor to render assessing services to the Village, and

WHEREAS, the Town Board has reviewed the proposed Agreement which sets forth the obligations and responsibilities of the Town and the Village of Depew, and which said Agreement has also been reviewed by the Town's Assessor and found to be satisfactory, and

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute on behalf of the Town of Lancaster an agreement entitled "Agreement for Assessing Services" between the Town of Lancaster and the Village of Depew, and upon full execution thereof by all of the parties, an original thereof shall be filed in the Town Clerk's office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

File: raassrd.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 7719 Claim No. 7992 Inclusive

Total amount hereby authorized to be paid: \$799,225.35

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER KWAK , WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

No.	Code Structure	Applicant	Street Address
3242	Majestic Pools	4 Willow Ridge Ct	Er. Fence/Pool
3243	Majestic Pools	176 Siebert R	Er. Fence/Pool
3244	Majestic Pools	4 Old Mill Run	Er. Fence/Pool
3245	Swimco Pools	419 Lake Ave.	Er. Sin. Pool
3246	Gary Bailey	15 Quail Run Ln	Er. Fence/Deck
3247	Lori White	31 Partridge Wk	Er. Fence
3248	Dr. Paul Stevensen	4725 Transit Rd	Er. Sign
3249	Unlimited Const	47 W Home Rd	Er. Deck
3250	Victoria Enright	12 Country Pl	Er. Shed
3251	Artie Cecere	50 Glendale Dr	Er. Shed
3252	Dave Baldo	10 Winding Way	Er. Deck
3253	Fredericks Manor	5827 Broadway	Ex. Restaurant
3254	Norman Page	9 Sagebrush Ln	Er. Shed
3255	Randaccio Bldrs Inc	1 Windcroft Ln	Er. Sin. Dwlg
3256	Mark Piersa	148 Seneca Pl	Er. Fence
3257	Diane Hammer	33 Spruceland Terr	Er. Pool
3258	Tower Enterprises	19 Stream View La	Er. Sin. Dwlg
3259 SW	Paul Young	661 Erie St	Er. Sin. Dwlg
3260	Daniel/G Sadowski	4780 William St	Er. Fence
3261	Lois Piacente	10 Trentwood Tr	Er. Deck
3262	Mike Faulhaber	525 Lake Ave	Er. Pool
3263	M J Ogiony	39 Michael's Wlk	Er. Sin. Dwlg

3264	John/Darlene Dzik	31 Clermont Ct	Er. Sin. Dwlg
3265	Michael Walter	65 Running Brk Dr	Er. Deck
3266	Carol Schwartz	35 Partridge Wk	Er. Pool
3267	Alain Malarski	12 Broadmoor Ct	Er. Shed/Pool
3268	Fischione Const Co	166 Enchanted Fst S	Er. Sin. Dwlg
3269	Nancy Gajewski	5 Via Donato W	Er. Shed
3270	Sunrise Homes	8 Michael Anthony	Er. Sin. Dwlg
3271	Sunrise Homes	40 Michael Anthony	Er. Sin. Dwlg
3272	Donato Developers	2 Broadmoor Ct	Er. Sin. Dwlg
3273	Majestic Pools	40 Southpoint Dr	Er. Fence/Pool
3274	Joseph Abati	10 Overton Ct	Er. Deck/Pool
3275	George Espinosa	155 Pleasant View Dr	Er. Deck
3276	Miller Enterprises	321 Columbia Ave	Alter Lav
3277	Miller Enterprises	5466 Broadway	Alter Lav
3278	Richard Kajtoch&Son	264 Ransom Rd	Er. Deck
3279	John Smith	37 Glendale Dr	Er. Shed
3280	John/Ellen Kaniecki	595 Pleasant View D	Er. Breezeway
3281	Mike Woerner	19 Fieldstone Ln	Er. Fence
3282	Burke Bros	12 Clermont Ct	Er. Sin. Dwlg
3283	Kidd-Kott Const	5078 William St	Er. Sin. Dwlg
3284	Roman Kwiatkowski	42 Southpoint Dr	Er. Pool
3285	Mr/Mrs Owczarczak	849 Erie St	Ex. Sin.Dwlg/ Er. Deck/Pool
3286	Patrick Viscusi	9 Hampton Ct	Er. Fence
3287	Suzanne Fuslani	15 Bridlepath Ln	Er. Shed/Fence
3288	N Choops Painting	4404 Walden Ave	Er. Deck
3289	Patricia Broderick	68 Southpoint Dr	Er. Shed/Fence/Pool
3290	John Pandolfi	183 Pleasant View Dr	Er. Shed
3291	Hazel Gipple	375 Harris Hill Rd	Ex. Sin. Dwlg
3292	Dan Harry	9 Woodgate Dr	Er. Deck
3293	Stephen H Patterson	28 Traceway	Er. Shed
3294	David Virgilio	26 Signal Dr	Er. Fence
3295	Norbert Schmalfeld	23 Lake Fst Pkwy W	Er. Shed
3296	Kevin Farrell	24 Hemlock Ln	Er. Pool

3297	R J Builders	1129 Penora St	Ex. Sin. Dwlg
3298	Mr/Mrs J McLaughlin	229 Pavement Rd	Er. Sin. Dwlg
3299	Elmwood Tank&Piping	5897 Genesee St	Install Tank
3300	Centennial Homes Inc	58 Newberry Ln	Er. Sin. Dwlg
3301	Western N Y Cont	6161 Genesee St	Er. Cart Barn
3302	Centennial Homes Inc	2 Wendtworth Ct	Er. Sin. Dwlg
3303	Decks Unlimited	9 Stream View Ln	Er. Deck
3304	Buffalo Crushed Stone	8615 Wehrle Dr	Install Trailer
3305	All Craft	104 Newberry Ln	Er. Sin. Dwlg
3306	All Craft	99 Newberry Ln	Er. Sin. Dwlg
3307	M J Ogiony Bldrs	16 Winding Way	Er. Sin. Dwlg
3308	Stratford Homes Inc	26 Michael Anthony	Er. Sin. Dwlg
3309	Fred Polimen	65 Newberry Ln	Er. Sin. Dwlg
3310	Anthony Wdowik	5063 William St	Dem./Er. Porch
3311	Alex Lewis	21 Old Post Rd	Er. Fence
3312	Allan M Ciesielski	141 Belmont St	Er. Deck
3313	Gary P. Johnson	14 Kelly Ann Dr	Er. Shed
3314	Patrick Viscusi	541 Lake Ave	Er. Fence

and,

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

File: RBLDG.1

Council Member Stempniak requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

WHEREAS, LEE CADBY, has submitted a Site Plan dated March 15, 1996 for an Industrial Park (Cadby Industrial Park), to be located on the west side of Ransom Road, south of Walden Avenue (between 946 and 962 Ransom Road), in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and at its meeting March 20, 1996, recommended approval, and

WHEREAS, the project has been reviewed under the SEQR Regulations and an environmental review was held on Monday, April 15, 1996;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Lee Cadby for an Industrial Park (Cadby Industrial Park) to be located on the west side of Ransom Road, south of Walden Avenue in the Town of Lancaster, in accordance with plans prepared by Polka Engineering, dated January 6, 1996.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

File: rstpln.1

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK , TO WIT:

WHEREAS, a vacancy exists in the position of Bingo Inspector of the Town of Lancaster due to the resignation of Timothy Bianchi , and,

WHEREAS, the Supervisor of the Town of Lancaster has recommended to the Town Board the appointment of Vincent E. Fritton to fill this vacancy, and

WHEREAS, the Supervisor of the Town of Lancaster deems it advisable to appoint an additional Deputy Bingo Inspector of the Town of Lancaster ,

NOW, THEREFORE, BE IT

RESOLVED, that Vincent E. Fritton, 95 Warsaw Street, Depew, New York 14043, be and is hereby appointed to the position of Deputy Bingo Inspector of the Town of Lancaster for the period of May 6, 1996 to December 31, 1997, at the same rate of pay as the current Deputy Bingo Inspectors for said position.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 6, 1996

FILE: pers.app

COMMUNICATIONS**DISPOSITION**

303.	NYSDOT to Town Dep. Town Attorney - SEQR Review Rezone & construction- Edward F. Lewis 5844 Broadway (Country Mansions).	R & F
304.	NYSDEC to Dep. Town Attorney - SEQR Solicitation for Lead Agency - Northeast Diversification (Cadby Industrial Park).	R & F
305.	NYSDEC to Dep. Town Attorney - SEQR Solicitation for Lead Agency - Cadby Ind. Park.	R & F
306.	Residents of Stony Road to Town Clerk - Petition seeking correction of flooding problems on Stony Road.	TOWN ENGINEER
307.	M/M John Suchy to Supervisor - Request permission to be an out of district customer	R & F
308.	Millgrove Fire Chief to Planning Board Chairman - Notice of site plan acceptance for cart storage facility/ Fox Valley Country Club.	R & F
309.	James Gaskin, BVFA Secretary to Town Board - Transmittal of new and deleted members to roster.	R & F
310.	Supervisor to Erie County Executive - Requesting attention be given to improvements along William Street from Transit Road to Bowen Road.	R & F
311.	Donald I. MacDavid to General Crew Chief - Expresses thanks for work completed by crew at Bowmansville War Memorial at Genesee Street and Stutzman Road.	R & F
312.	Shirley A. Thompson to Supervisor - Requesting comments about alleged problems at Forestream Plaza.	R & F
313.	George Kohlbrenner to Supervisor and Town Board - Requests participation at Memorial Day Services.	R & F
314.	Jonathan B. Bodow to Supervisor - Outlines a proposal for a ballpark community game.	PARKS AND RECREATION COMMITTEE
315.	NYSDEC to Douglas Hutter, Manguso & Associates Architects - Determination Re: Walgreens parking lot expansion.	R & F
316.	Anonymous to Town Board - Enclosed news clipping and suggestion for Town and Village Boards.	R & F
317.	Director of Administration and Finance to Town Board - Request for direction on request for payment on unused Sick leave.	SUPERVISOR TOWN ATTORNEY
318.	Assistant to Supervisor to Town Board - Transmittal of summary sheet regarding Westwood Park	PARKS AND RECREATION COMMITTEE
319.	Town Clerk to Zoning Board Members, Building Inspector And Town Attorney - Transmittal of variance petitions for meeting to be held 5/9/96.	R & F

320.	Erie County Assoc. Of Town Supt. Of Highways to County Municipalities - Re: Mutual Aid.	R & F
321.	Highway Superintendent to Supervisor - Resolution approving installation of No Parking Here To Corner Sign - Riemers Ave.	R & F
322.	Town Attorney to Department Heads - Overtime/Compensatory Time.	R & F
323.	Disaster Director to Town Board - Minutes for Safety Committee Meeting - 4/18/96.	R & F
324.	Town Attorney to County Dep. Com. Of Public Works - Executed agreement to spend Town highway funds.	HUMAN SERVICES
325.	Town Clerk to Town Board - Advisement of contract expiring 7/96.	TOWN ATTORNEY
326.	Erie County Division of Highways to Town Board - Transmittal of certificate and notice of highway closure	R & F
327.	Town Engineer to Holmes & Murphy, Inc. - Official notice to proceed and complete relocation of waterline on Ransom Road.	R & F
328.	Planning Board to Town Board - Recommend approval of site plan for Fox Valley Country Club (golf cart storage building).	R & F
329.	Planning Board to Town Board - Recommend approval of rezone application for Transit Wehrle Theater Complex, Transit Road and Wehrle Drive.	TOWN ATTORNEY R & F
330.	Planning Board to Town Board - Recommend approval of site plan for Cracker Barrel Country Store.	R & F
331.	Planning Board to Town Board - Transmittal of minutes of meeting of 4/7/96.	R & F
332.	Planning Board to Town Board - Recommends rezone for Country Mansions.	R & F
333.	Highway Department to Town Board - Recommend acceptance of bid for 1996 self-propelled bituminous paver from Gateway Equipment Corp.	R & F
334.	DCO to Town Board - Recommendation of Assistant Dog Control Officer/ Enumerator for the summer census program.	R & F
335.	Lancaster Taxpayers Association President to Council Member Montour - Request for investigation into alleged unequal treatment	COUNCIL MEMBER MONTOUR
336.	NYS DOT to Supervisor - Recommendations and comments re: notification of developers' actions.	R & F
337.	Donald Gallo, Consulting Engineer, to Town Board - Notice, agenda and minutes from pre-construction meeting held on 4/26/96 Handicapped Improvements Project.	R & F

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338.	Wendel to Town Board - Minutes from construction meeting held 4/18/96 re: Youth Bureau Project.	
339.	Nussbaumer & Clarke to Clugh, Harbour & Associates - Information in response to inquiry of 4/22/96 re: Tops Distribution Center.	R & F
340.	Town Clerk to Supervisor - Monthly report for April 1996.	R & F
341.	Department Crew Chief to Supervisor - Transmittal of list of candidates to be hired for summer of 1996.	R & F
342.	Pres.. CSEA White Collar Unit - Notification of willingness of union to concur and Approve request of Secretary to the Supervisor to carry over vacation time to 1996/97 service year.	R & F
343.	DCO to Town Board - Comments re: dog enumeration with request for an additional Assistant Dog Control Officer/Enumerator.	R & F
344.	Joseph Juszcak to Supervisor - Request listing of normally scheduled working hours for various appointed Town officials.	SUPERVISOR
345.	Bowmansville V.F.A. to Planning Board Chair. - Comments re: site plan of Crackle Barrel Old Country Store - Transit Rd./Freeman Dr.	PLANNING COMMITTEE TOWN ENGINEER BUILDING INSPECTOR
346.	Youth Bureau Ex. Dir. To Supervisor - Recommend attendance of Social Work Counselor at "Resiliency in Action - Building Resiliency in Youth" Conference in Cheektowaga on 5/16/96.	R & F
347.	Youth Bureau Ex. Dir. To Supervisor - Recommend appointment of Sheila O'Connor to position of Tutor.	R & F
348.	Planning Board to Town Board - Planning Board minutes of meeting of 5/1/96.	R & F
349.	NYSEG Street Lighting Representative Myers to Supervisor - Analysis and recommendation to request for street Lighting field survey at 236 Pavement Road.	BUILDINGS AND GROUNDS COMMITTEE
350.	Council Member Montour to Supervisor - Transmittal of letter from Grant Hudson Advisors, L.P. re: new Town facilities for Town of Lancaster.	SUPERVISOR BUILDINGS AND GROUNDS COMMITTEE
351.	NYS Office of Real Property Services to Supervisor - Determination of Residential Assessment Ratio.	R & F
352.	Clough, Harbour & Associates to Vice President Distribution Tops Markets, Inc. - Request for additional information for data review.	TOWN ATTORNEY SUPERVISOR
353.	NYS Division For Youth to Youth Bureau Director - Re: special legislative 1994 program, Contract #C940022.	R & F
354.	Wyssling & Montgomery to Supervisor - Re: Lancaster Dispatchers Employees Association.	R & F TOWN ATTORNEY

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PLANNING COMMITTEE
355. Planning Board to Town Board -
Recommendation re : Tops Distribution Center -
Landscape plan.
356. Bowmansville Volunteer Fire Company to Planning Board - SUPERVISOR
Specifications regarding hydrants and water main sizes TOWN ENGINEER
For proposed shopping center at Transit and Rehm Roads.

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER MILLER, AND SECONDED BY
THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:40 P.M.

Signed Robert P. Thill
Robert P. Thill, Town Clerk